

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

R. DAVID WOLFE,)	
)	
Plaintiff,)	Case No. 1:13-cv-00859-SL
)	
v.)	
)	
WEISS, et al.,)	JUDGE SARA LIOI
)	
Defendants.)	

WEISS DEFENDANTS' MOTION TO DISMISS OR TO STAY

Pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, defendants Elie Weiss, Gary Weiss, Jeffrey Weiss, Judith Weiss, Morry Weiss, Zev Weiss, Irving I. Stone Limited Liability Company, Irving I. Stone Oversight Trust, and Irving I. Stone Foundation (the "Weiss Defendants"), through their undersigned counsel, hereby move to dismiss or stay the Verified Amended Derivative and Class Action Complaint (the "Complaint").

In support of this Motion, the Weiss Defendants submit the accompanying Memorandum of Law, the Declaration of Brett W. Bell, and the exhibits attached thereto. The Weiss Defendants also incorporate by reference (as specifically set forth in the Memorandum of Law) the arguments advanced by codefendants American Greetings Corporation and the Independent Director Defendants in their companion Motions to Dismiss.

For all the reasons set forth in the accompanying brief, the Weiss Defendants respectfully request that this Court dismiss (or stay) the captioned action.

Dated: July 8, 2013

Respectfully submitted,

s/ Robert S. Faxon

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 8, 2013, copies of the foregoing Weiss Defendants' Motion to Dismiss or to Stay, Memorandum of Law in Support of Weiss Defendants' Motion to Dismiss or to Stay, and Declaration of Brett W. Bell (and the exhibits attached thereto) were filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

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